

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

V.

NO. 4:23-CR-26

JOE WILLIE DORSEY

ORDER

Joe Willie Dorsey’s sentencing hearing was initially set for September 6, 2023. Doc. #20. On August 30, 2023, Dorsey filed a “Motion to Remove the Status Points from the Calculation of Defendant’s Criminal History; or in the Alternative, Motion to Continue Sentencing.” Doc. #25. Specifically, Dorsey asks the Court to either (1) remove the two-point status point adjustment from his guideline calculation due to the Sentencing Commission’s recent decision to make retroactive its amendment that the status point adjustment applies only if the defendant “receives 7 or more points” and “committed the instant offense while under any criminal justice sentence;” or (2) continue his sentencing hearing “until after November 1, 2023, when the new amendments go into effect.” *Id.* at PageID 46–47. Dorsey represents that the government does not object to the relief requested. *Id.* at PageID 48. On September 1, 2023, the Court deferred ruling on the motion until “it receives and considers the government’s position and the Probation Office’s input.” Doc. #26. Six days later, the government confirmed that it has “no objection to the defendant’s requested relief.”¹ Doc. #28 at 2.

Dorsey is correct that the Sentencing Commission amendment he references will apply

¹ In its response, the government also states that it “agrees that the pre-sentence report should be amended to reflect the anticipated amendments to the sentencing guidelines.” Doc. #28 at 2.

retroactively.² So in the interest of judicial efficiency, to the extent the referenced amendment applies to Dorsey, Dorsey's motion [25] is **GRANTED**. There being no reason to wait until after November 1 to proceed with Dorsey's sentencing hearing, the sentencing hearing will be reset for October 11, 2023.

SO ORDERED, this 21st day of September, 2023.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE

² United States Sentencing Commission, *U.S. Sentencing Commission Votes to Allow Retroactive Sentence Reductions and Announces its Next Set of Policy Priorities* (August 24, 2023), <https://www.ussc.gov/about/news/press-releases/august-24-2023>.